

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 19397 of 2004

Between:

Ved Prakash Chouhan S/o.Late Babu Rao T Chouhan
R/o.H.No.3-6-664/1, Himayatnagar.

... PETITIONER

AND

- 1 The Municipal Commissioner and Special Officer, Office of Municipal Corporation of Hyderabad, Tank Bund, Hyderabad.
- 2 The District Collector Hyderabad District, Nampally, Hyderabad.
- 3 The Special Deputy Collector Land Acquisition (MCH) Tank Bund, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction or writ more particularly one in the nature of writ of Mandamus by directing the Respondents to follow the procedure as laid down under the provisions of HMC Act and Land Acquisition Act in acquiring and demolishing of the house under Road widening in respect of residential house bearing Municipal No.3-6-564/A, situated at Himayatnagar, Hyderabad with that of similarly effected persons.

Counsel for the Petitioner: MR.A.SANJEEVA REDDY

Counsel for the Respondents 1 & 3: MR.RAMA RAO GANTA SC FOR MCH

Counsel for the Respondent No.2: GP FOR REVENUE

The Court made the following order:

ORDER:

-

-

The grievance of the petitioner herein is that without following the procedure prescribed under law the respondents are trying to demolish the house in question for the purpose of road widening.

Learned counsel for the first respondent contended that the house in question is not earmarked for demolition and the petitioner has filed this writ petition only under apprehension.

Learned Government Pleader appearing for the second respondent also contended that the house in question is not required for road widening so as to demolish the same.

The submissions made by the learned counsel for the respondents are recorded. The respondents are directed not to demolish the house except in accordance with law.

The writ petition is accordingly disposed of with the said observation. No costs.

K.C. BHANU, J

October 19, 2004

Dsk/Gs

To

- 1 The Municipal Commissioner and Special Officer, Office of Municipal Corporation of Hyderabad, Tank Bund, Hyderabad.
- 2 The District Collector Hyderabad District, Nampally, Hyderabad.
- 3 The Special Deputy Collector Land Acquisition (MCH) Tank Bund, Hyderabad.
- 4 Two CCs to GP For Revenue, High Court Buildings, Hyderabad (OUT).
- 5 Two CD copies.